

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

TAM TRAN,

Plaintiff,

v.

UNITED STATES GOVERNMENT,

Defendant.

CASE NO. C23-5281 BHS

ORDER

THIS MATTER is before the Court on Magistrate Judge David W. Christel's Report and Recommendation (R&R), Dkt. 4, recommending that the Court deny pro se Plaintiff Tam Tran's application to proceed *in forma pauperis* and dismiss the case with prejudice and without leave to amend as frivolous and without merit.

This case is one of more than 20 substantially similar cases Tran has filed in this District this year. It, like the others, contains no factual allegations and no legal theory of liability. Instead, Tran's statement of claim in this case asserts in its entirety:

The United State President Signature Civil Rights Act 1964 Federal Criminal Law, never ending because no own D.O.J. No own Federal Court John P. Hagensen local Judge above the law local court, above, state Judge above, state court, above and our federal worker above the law, the law

1 over only, patrol sheriff, police, government fraud our American people
2 2nd Amendment violate.

3 Dkt. 1-2 at 5. Tran seeks \$6 trillion in damages and of the president to resign because his
4 signature is “wrong on the law.” *Id.*

5 The R&R thoroughly catalogues the deficiencies in this case, which are also
6 present in Tran’s other cases. Dkt. 4. It recommends dismissal with prejudice and without
7 leave to amend, and the denial of *in forma pauperis* status in the event of any appeal.

8 Tran has not objected to the R&R and it is ADOPTED.

9 Tran’s application to proceed *in forma pauperis* is DENIED, and he shall not have
10 that status in the event of an appeal. The matter is DISMISSED with prejudice and
11 without leave to amend.

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13 Tran’s practice of filing repetitive, facially frivolous complaints, seeking to
14 proceed *in forma pauperis*, and refusing to amend his complaint, is abusive and
15 vexatious. The Court has previously warned Tran that if he continues to do so, he will be
16 subject to a bar order, precluding him from filing additional cases in this District without
17 prior court approval. 28 U.S.C. § 1915(g); *see also, e.g., McGlown v. United States Dep’t*
18 *of Com.*, No. 23-cv-0049 TL, 2023 WL 1778934, at *3 (W.D. Wash. Feb. 6, 2023). It has
19 now entered a notice of intent to enter such an order, and ordered Tran to show cause
20 why it should not be entered. *See* Dkt. 5.

21 The Clerk shall enter a JUDGMENT and close the case.

22 IT IS SO ORDERED.

1 Dated this 28th day of April, 2023.

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4 BENJAMIN H. SETTLE
5 United States District Judge
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